

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 596, FOOD AND DRUGS ACT.

ADULTERATION OF RAISINS.

On or about May 1, 1909, the J. K. Armsby Company, Woodlands, Cal., shipped from the State of California to the State of Texas 600 cases of raisins, 400 of which were labeled: "50 lbs. 3 Crown Net California Loose Muscatel Raisins. Packed by the J. K. Armsby Co., Woodlands, California," and 200 of which were labeled: "50 Lbs. 2 Crown Net California Loose Muscatel Raisins. Packed by the J. K. Armsby Co., Woodlands, California." An examination of samples of this product made in the Bureau of Chemistry, United States Department of Agriculture, showed it to be adulterated within the meaning of the Food and Drugs Act of June 30, 1906. As it appeared from the findings of the analyst and report thereon that the said shipment was liable to seizure under section 10 of the act, the Secretary of Agriculture reported the facts to the United States attorney for the Western District of Texas.

In due course a libel was filed in the District Court of the United States for the said district against the said 600 cases of raisins, charging the above shipment and alleging that the products so shipped were adulterated, in that they consisted in part of a filthy and decomposed vegetable substance, and praying seizure and condemnation of the product.

Thereupon W. B. Walker & Sons, Austin, Tex., entered their appearance and filed a claim to the product in question. The case came on for hearing, and a jury having been waived, the case was tried by the court, which issued its decree finding that a certain part of the above mentioned raisins consisted of a filthy and decomposed vegetable substance, and condemning and forfeiting the product to the United States, with the proviso, however, that the marshal of said district should deliver said raisins to the claimants, in lieu of the destruction thereof, upon the payment by said claimants of all the costs in these proceedings and the execution and delivery of a good and sufficient bond in the sum of \$900 conditioned that the said cases of raisins with their contents be immediately placed in a good merchantable

condition so as to be salable without violating any of the provisions of the Food and Drugs Act, that the said claimants submit a sample to the Department of Agriculture at Washington for inspection before offering any of said raisins for sale, that all of said raisins which might be found to consist of filthy and decomposed vegetable substance and unfit for food be destroyed, and that none of said raisins be sold or otherwise disposed of contrary to law.

The costs having been paid and bond furnished by claimants in accordance with the terms of the above decree, the raisins aforesaid were forthwith delivered to them.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *September 9, 1910.*

